

## Message Text

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PAGE 01 MADRID 02558 051204Z  
ACTION EUR-12

INFO OCT-01 ISO-00 EB-08 OES-06 L-03 /030 W  
-----051222Z 066033 /11

R 041517Z APR 77  
FM AMEMBASSY MADRID  
TO SECSTATE WASHDC 9659  
INFO AMEMBASSY COPENHAGEN

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STADIS////////////////////////////////////

COPENHAGEN FOR REGFISHATT

E.O.11652: N/A  
TAGS: EFIS, US, SP  
SUBJECT: SPANISH FISHING PROBLEMS SMALL NETS AND LONG INSPECTIONS

REF: STATE 71379, STATE 71541

1. EMBOFF APRIL 1 DISCUSSED PROBLEM OF SMALL NETS (REFTELS) WITH JAVIER CONDE, DEPUTY DIRECTOR INTERNATIONAL FISHING AFFAIRS. CONDE ADMITTED THAT GOS AT FAULT IN NOT HAVING TRANSLATED AND DISTRIBUTED REGULATIONS INCLUDING SECTION 611.51 WHICH REQUIRES PRIOR NOTIFICATION TO REGIONAL DIRECTOR NMFS, OF US NETS SMALL THAN 60MM (ASSUME THIS IS INTENDED BY TERM "REQUEST WAIVER", PAR 2 STATE 71541). IN ANY CASE ALL SPANISH VESSELS DEPARTED AREA MARCH 31 WHEN LICENSES LAPSED SO EFFECT WAS LOSS OF TWO DAYS FISHING TIME.

2. CONDE SAID GOS NOW UNDERSTANDING REQUIREMENT AND WILL INSURE COMPLIANCE PRIOR TO COMMENCEMENT NEXT FISHING PERIOD IN JUNE. SINCE THESE REGULATIONS ARE APPLICABLE ONLY DURING THE 1977 CONDE EXPLAINED THAT REAL CONCERN OF GOS IS WHAT HAPPENS IN FUTURE YEARS. ACCORDING TO HIS EXPLANATION SQUID CANNOT BE FISHED WITH 60MM OF LARGER NETS. THUS IF SPANISHMEN WERE TO BE REQUIRED IN FUTURE YEARS TO  
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PAGE 02 MADRID 02558 051204Z

USE NETS THAT LARGE, IT WOULD IN EFFECT ELIMINATE POSSIBILITY OF SQUID FISHING.

3. CONDE ALSO RAISED PROBLEMS OF DELAYS CAUSED BY COAST GUARD INSPECTIONS OF FISHING VESSELS. ACCORDING TO REPORTS HE HAS RECEIVED INSPECTIONS ARE CAUSING LOSS OF ONE COMPLETE DAY'S FISHING. IN TERMS OF LOST CATCH THIS IS PARTICULARLY DAMAGING

THIS SEASON DUE TO OTHER DELAYS AND LOST TIME. CONDE FULLY  
RECOGNIZES REQUIREMENT FOR INSEPCIONS BUT WONDERED IF MORE  
EFFICIENT SYSTEMCOULD NOT BE DEVELOPED WHICH WOULD NOT RESULT  
IN SO MUCH LOST FISHING TIME.

4. COMMENT: BASED ON CONDE COMMENTS AND GENERAL TONE OF COAST  
GUARD EXCHANGES OF MESSAGES (REFTELS) IT APPEARS TO EMBASSY THAT  
COAST GUARD MAY BE CARRYING OUT ENFORCEMENT ACTION TO LETTER OF LAW  
WITHOUT GIVING DUE REGARD TO MITIGATING FACTORS. ESPECIALLY DURING  
THIS FIFST YEAR OF NEW REGIME. FOR EXAMPLE IN SPITE OF RECOM-  
MEDATION FROM CGC VIGILANT (STATE 71379) THAT LESS STRICT APPRAOCH  
BE TAKEN (TO INCLUDE US ASSISTANCE TO SPANISH FISHING VESSELS).  
COAST GUARD INSTRUCTED INSTRUCTED VIGILANT TO CARRY OUT ENFORCEMENT  
ACTION, FURTHER FOR VARIOUS REASONS, STATEMENT IN PARA 1, STATE  
71541 (REPEAT OF CG MESSAGE) THAT "SP GOVERNMENT SP AGENT AND SPF  
SPV'S HAVE HAD COPIES OF 50CFR611 FOR SEVERAL WEEKS'S IS NOT BELIVED  
TO BE ACCURATE ALTHOUGH COPY WAS REPORTEDLY PROVIDED TO SPANISH  
EMBASSY WASHONGTON ABOUT TIME OF ISSUE (FEBRUARY 11). ON MARCH 10  
OFFICIAL OF SPANISH FISHING INDUSTRY VISITED THIS EMBASSY TO  
REPORT THAT MINISTRY OF FOREIGN AFFAIRS DID NOT HAVE COPY IN  
ENGLISH OR IN SPANISH. WE IMMEDIATELY REQUESTED COPY FROM  
DEPARTMENT WHICH WAS RECEIVED AND PASSED TO BOTH GOS AND SPANISH  
INDUSTRY ABOUT MARCH 14 WE UNDERSTAND THAT SPANISH  
TRANSLATION HAS NOW BEEN COMPLETED AND COPIES ARE BEING PROVIDED TO  
FISHING VESSELS. IN SUMMARY EMBASSY HOPES THAT DEPARTMENT WILL CONSULT

CLOSELY WITH NMFS AND COAST GUARD WITH REGARD ENFORCEMENT OF  
FISHING REGULATIONS AND WILL ENSURE THAT ALL CONSIDERATIONS.  
INCLUDING FOREIGN POLICY IMPLICATIONS, WILL WEIGHTED FOR SPANISH  
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PAGE 03 MADRID 02558 051204Z

FISHING VESSELS AS THEY AE FOR VESSELS OF OTHER COUNTRIES.EATON

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## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TERRITORIAL WATERS, TREATY VIOLATION, FISHING GEAR, FISHING REGULATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
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**Decaption Date:** 22 May 2009  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Unique ID:** 00  
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**Enclosure:** n/a  
**Executive Order:** N/A  
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**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** STADIS  
**Original Previous Classification:** n/a  
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**Reference:** 77 STATE 71379, 77 STATE 71541  
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**Subject:** SPANISH FISHING PROBLEMS SMALL NETS AND LONG INSPECTIONS  
**TAGS:** EFIS, US, SP  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
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